

9/20/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tatsuo FUKUI

Application No.: New U. S. Application

Filed: July 5, 2001

Docket No.: 109686

For: APPARATUS FOR DETECTING OPTICAL POSITIONAL DEVIATION

PRELIMINARY AMENDMENT

Director of the U.S. Patent and Trademark Office
Washington, D. C. 20231

Sir:

Prior to initial examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please replace claim 3 as follows:

3. (Amended) An optical positional deviation detecting apparatus according to claim 1, wherein said image field area adjustment mechanism adjusts the image field area on the basis of an asymmetric focus characteristic curve of the L/S mark pattern image obtained when forming the image of the L/S mark pattern within the image field area of said imaging device.

Please add new claim 5 as follows:

-- 5. An optical positional deviation detecting apparatus according to claim 2, wherein said image field area adjustment mechanism adjusts the image field area on the basis of an asymmetric focus characteristic curve of the L/S mark pattern image obtained when forming the image of the L/S mark pattern within the image field area of said imaging device.---